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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 KEBEDE ABAWAJI,

10 Petitioner,

11 v.

12 ERIC JACKSON,

13 Respondent.

CASE NO. C18-0193-RAJ-MAT

ORDER RE: PENDING MOTION

14 Petitioner proceeds *pro se* and *in forma pauperis* in this 28 U.S.C. § 2254 habeas
15 proceeding. He filed a Motion to Appoint Counsel. (Dkt. 31.) Now, having considered the
16 motion, the Court does hereby find and ORDER as follows:

17 (1) There is no right to have counsel appointed in cases brought under 28 U.S.C. §
18 2254 unless an evidentiary hearing is required. *See Terravona v. Kincheloe*, 852 F.2d 424, 429
19 (9th Cir. 1988); *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992); and Rule 8(c) of the
20 Rules Governing Section 2254 Cases in the United States District Courts. The Court may
21 exercise its discretion to appoint counsel for a financially eligible individual where the “interests
22 of justice so require.” 18 U.S.C. § 3006A. Here, petitioner fails to demonstrate the interests of
23 justice are best served by appointment of counsel at the present time. Accordingly, petitioner’s

1 motion for appointment of counsel (Dkt. 31) is DENIED.

2 (3) The Clerk is directed to send copies of this Order to the parties and to the
3 Honorable Richard A. Jones.

4 DATED this 3rd day of October, 2018.

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7 Mary Alice Theiler
8 United States Magistrate Judge
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